THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.22049 of 2006

DATED 26.10.2006

Between:
Smt. A.Nagaraja Mani.

.... PETITIONER

versus

Malkajgiri Municipality, represented by its Special Officer, Malkajgiri, Ranga Reddy District and two others. ....
RESPONDENTS

WRIT PETITION NO.22049 of 2006

ORDER:

The matter is coming up for admission today. Sri Polisetty Radhakrishna, learned Standing Counsel takes notice on behalf of the respondents.

2. Heard the learned counsel for the petitioner.

3. The Writ Petition is filed for a Writ of Mandamus to declare the action of the respondents in high-handedly demolish the property of the petitioner bearing house No.29-1460/2, Kakatiyanagar, Neredmet, Malkajgiri, Hyderabad, Ranga Reddy District, as illegal, arbitrary, contrary to the principles of natural justice and violative of Articles 14 and 300-A of the Constitution of India and consequently direct the respondents not to dispossess the petitioner from the said property and pass such other suitable orders.

3. It is stated that after obtaining permission from the respondent-Municipality, petitioner constructed a residential house. It is further stated that the respondents now asserts that they require about 34 square yards for road widening from the petitioner's property. It is also stated that the respondents have not issued any notice nor invoked the

provisions of the Land Acquisition Act and on the contrary they are threatening to dispossess the petitioner from her property without following due process of law. Several other factual details also had been narrated in the affidavit filed in support of the Writ Petition and placed the relevant material before the Court.

4. In view of the facts and circumstances, this Court is of the considered opinion that the Writ Petition be disposed of with a direction to the respondents not to resort to any demolition activity with regard to the subject matter of the Writ Petition unless and until the respondents follow due process of law.

5. With the above direction, the Writ Petition is disposed of. No costs.

26.10.2006

SSR